

Docket No. 4172-4008US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Emer Leahy

Group Art Unit: 1614

Serial No.: 10/767,788

Examiner: TBA

Filed: January 29, 2004

For: TREATMENT FOR ATTENTION DEFICIT HYPERACTIVITY DISORDER

EXPRESS MAIL CERTIFICATE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 460 047 876

Date of Deposit: February 8, 2005

I hereby certify that the following attached paper(s) and/or fee

1. Request For Corrected Official Filing Receipt (1 page)
2. Copy of Official Filing Receipt marked with corrections (2 pages)
3. Statement Under 37 CFR 1.32(C)(3) (1 page)
4. Copy of Declaration And Power of Attorney (3 pages)
5. Return Postcard.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

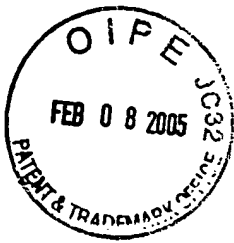
Michael A. Willis

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
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For: Treatment for Attention Deficit Hyperactivity Disorder

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A corrected filing receipt is hereby requested in view of the errors which appear in the original. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been highlighted. Specifically:

The residence of Berend Olivier is corrected to "Lelystad".

The Power of Attorney is specified in the attached Statement Under 37 CFR 1.32(C)(3).

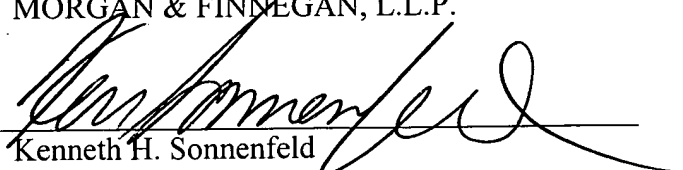
The title is corrected to "Treatment for Attention Deficit Hyperactivity Disorder".

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4172-4008US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 7, 2005

By:


Kenneth H. Sonnenfeld
Registration No. 33,285

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JFW

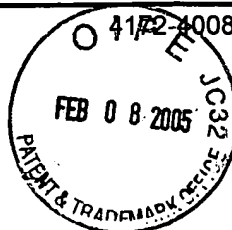


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|-----------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10767,788 | 01/29/2004 | 1614 | 459 | 4172-4008US1 | 15 | 21 | 1 |

27123
 MORGAN & FINNEGAN, L.L.P.
 3 WORLD FINANCIAL CENTER
 NEW YORK, NY 10281-2101



CONFIRMATION NO. 5855

UPDATED FILING RECEIPT



OC000000013937061

Date Mailed: 09/29/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Emer Leahy, Bedford, NY;
 Berend Olivier, ~~Lelystad~~, NETHERLANDS;

Lelystad

CASE 4172-4008US1 ATTY MAWINFORMATION DISCLOSURE
STATEMENT 4/29/04

FOREIGN FILING

CONVENTION DATE EXPIRES RECEIVED
DOCKET DEPT

OCT 4 2004

Power of Attorney: ~~None~~

See attached Statement

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/443,457 01/29/2003

MORGAN & FINNEGAN L.L.P.

Foreign Applications

If Required, Foreign Filing License Granted: 06/17/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10767,788

Projected Publication Date: 01/06/2005

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

TitleTreatment for ~~a~~ attention-deficit hyperactivity disorder**Preliminary Class**

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

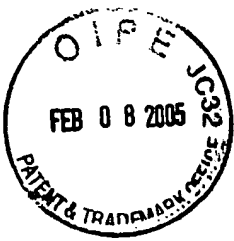
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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STATEMENT UNDER 37 CFR 1.32(C)(3)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following patent practitioners named in the attached "Combined Declaration and Power of Attorney for Original, Design, National Stage of PCT, Supplemental, Divisional, Continuation or Continuation-In-Part Application" are to be recognized by the Office as being of record:

Kenneth H. Sonnenfeld, Reg. No. 33,285

Michael S. Marcus, Reg. No. 31,727

Israel Blum, Reg. No. 26,710

Arnold I. Rady, Reg. No. 26,601

Correspondence Address:

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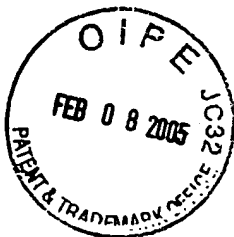
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4172-4008US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 7, 2005

By: 

Kenneth H. Sonnenfeld
Registration No. 33,285



Docket No. 4172-4008US1

**COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TREATMENT FOR ATTENTION-DEFICIT HYPERACTIVITY DISORDER

the specification of which

- a. ☐ is attached hereto
- b. ☒ was filed on January 29, 2004 as application Serial No. 10/767,788.

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO:

- ☐ Bar Code label attached (see right)
- ☒ Address Shown (see below)
Kenneth H. Sonnenfeld, Ph.D., Esq.
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, N.Y. 10281-2101

DIRECT TELEPHONE CALLS TO:

Kenneth H. Sonnenfeld, Ph.D., Esq.
(212) 415-8700

27123

↑CUSTOMER NUMBER↑

☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

| Country/PCT | Application Number | Date of filing (day, month, yr) | Date of issue (day, month, yr) | Priority Claimed |
|-------------|--------------------|---------------------------------|--------------------------------|------------------|
|-------------|--------------------|---------------------------------|--------------------------------|------------------|

☐ Y ☐ N

☐ Y ☐ N

☐ Y ☐ N

☒ I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of filing (day, month, yr)

60/443,457

29.01.03

**ADDITIONAL STATEMENTS FOR DIVISIONAL,
CONTINUATION OR CONTINUATION-IN-PART
OR PCT APPLICATION(S) DESIGNATING THE U.S.**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

| US/PCT Application Serial No. | Filing Date | Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT) |
|-------------------------------|-------------|--|
|-------------------------------|-------------|--|

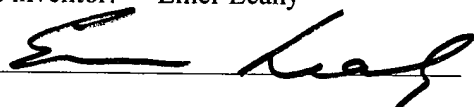
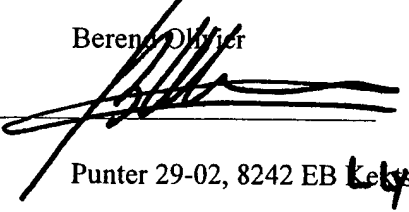
| US/PCT Application Serial No. | Filing Date | Status (patented, pending, abandoned)/ U.S. application no. assigned (For PCT) |
|-------------------------------|-------------|--|
|-------------------------------|-------------|--|

☐ In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: David H. Pfeffer (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C.H. Lin (Reg. No. 29,323), Joseph A. DeGirolamo (Reg. No. 28,595), Michael P. Dougherty (Reg. No. 32,730), Seth J. Atlas (Reg. No. 32,454), Andrew M. Riddles (Reg. No. 31,657), Bruce D. DeRenzi (Reg. No. 33,676), Mark J. Abate (Reg. No. 32,527), John T. Gallagher (Reg. No. 35,516), Steven F. Meyer (Reg. No. 35,613), Kenneth H. Sonnenfeld (Reg. No. 33,285), Tony V. Pezzano (Reg. No. 38,271), Andrea L. Wayda (Reg. No. 43,979), Walter G. Hanchuk (Reg. No. 35,179), John W. Osborne (Reg. No. 36,231), Robert K. Goethals (Reg. No. 36,813), Peter N. Fill (Reg. No. 38,876), Kenneth S. Weitzman (Reg. No. 36,306), Richard Straussman (Reg. No. 39,847), Stephen J. Manetta (Reg. No. 40,426), Dorothy R. Auth (Reg. No. 36,434) and Michael O. Cummings, (Reg. No. 40,575) of Morgan & Finnegan, L.L.P. whose address is: 345 Park Avenue, New York, New York, 10154; and Michael S. Marcus (Reg. No. 31,727), and John E. Hoel (Reg. No. 26,279), of Morgan & Finnegan, L.L.P., whose address is 1775 Eye Street, Suite 400, Washington, D.C. 20006.

☐ I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

| | | | |
|--------------------------------------|---|---------|------|
| Full name of sole or first inventor: | Emer Leahy | | |
| Inventor's signature* |  | 8/23/04 | Date |
| Residence: | 406 Long Ridge Road, Bedford, New York 10506 | | |
| Citizenship: | US | | |
| Post Office Address: | 406 Long Ridge Road, Bedford, New York 10506 | | |
| Full name of second inventor: | Berend Olfier | | |
| Inventor's signature* |  | 8/26/04 | Date |
| Residence: | Punter 29-02, 8242 EB Leidschendam, Holland, The Netherlands | | |
| Citizenship: | NL | | |
| Post Office Address: | Punter 29-02, 8242 EB Leidschendam, Holland, The Netherlands | | |

☐ ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.